

HARVARD LAW RECORD

America's Boldest Law School Newspaper

VOL. 58, NO. 6

The Ides of March, 1974

TWENTY CENTS

Fun City Firm Raises Salary to \$24,200 a Year

One of the top 10 New York law firms has announced that, effective September 1, 1974, it will increase its annual salary for first-year associates to \$24,200.

"And that's not including the bonuses," said a member of the firm's hiring committee, who asked that neither he nor his firm be identified until they had had a chance to contact law students who will be working there next year.

The partner cited three basic reasons for the change:

- First, inflation has so eaten into earning potential in New York that "those \$24,200 are worth less than the 20 bucks a

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Faculty Reverses Position, Votes Mandatory Pass/Fail

By Kermit Kubitz

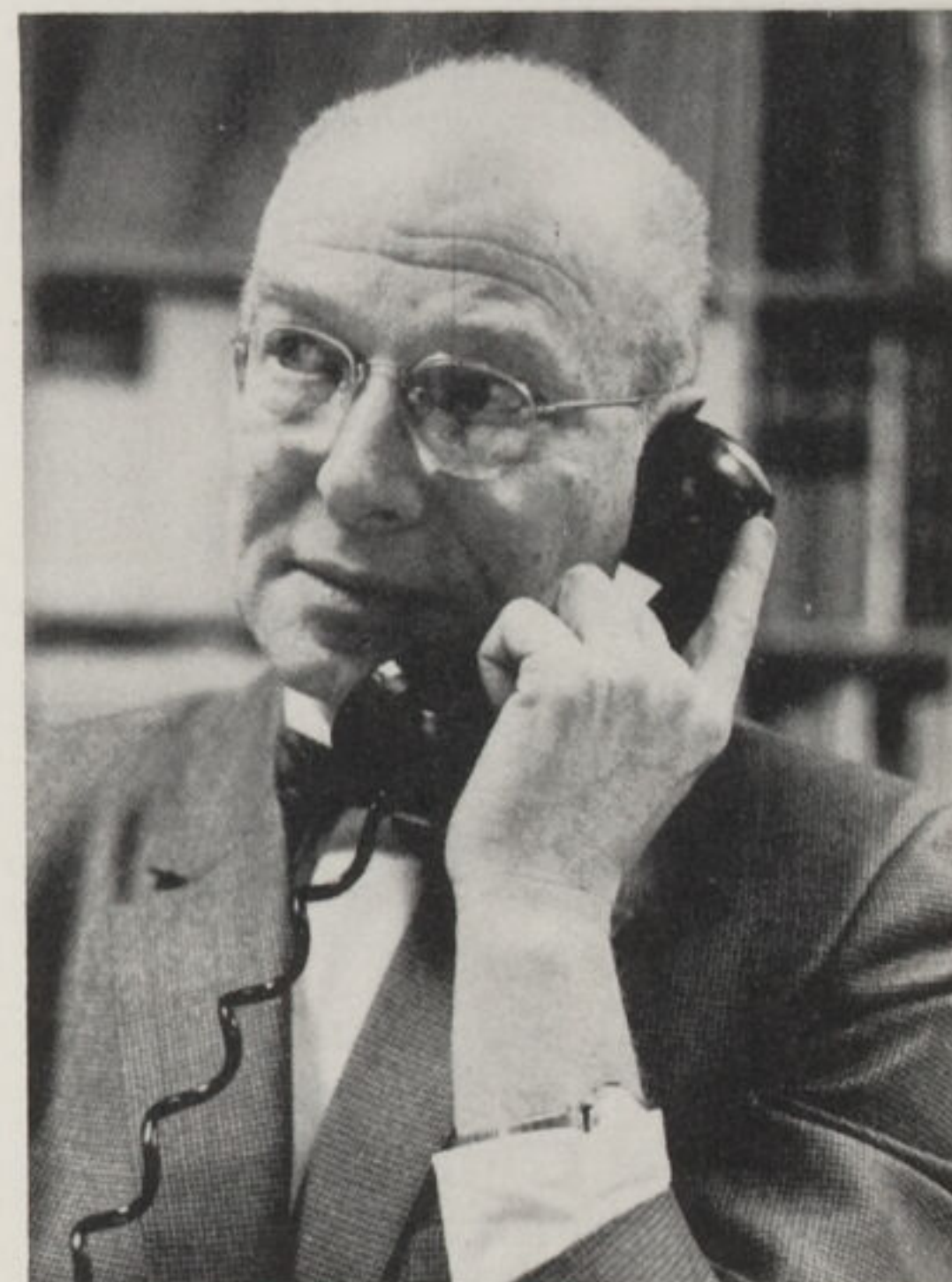
The RECORD has learned that after a long and stormy secret meeting in the faculty library last Thursday, the faculty has reversed its position and approved mandatory "Pass/Fail" for all students.

"No consensus was ever reached," said Professor Laurence H. Tribe. "It was strictly a matter of power. We outvoted those b[*****]."

Some faculty members were reportedly bitter about the outcome, especially as they thought they had laid the matter to rest with last February's vote downing a proposed return to optional Pass/Fail for 1Ls. Tempers were heated after the meet-

ing, and one faculty member was heard to mutter, "I'll go to Stanford before I'll use Pass/Fail."

Meanwhile, students were ecstatic. Patrick J. O'Shay, 3L expressed the sentiments of many students by



Fenno

Dean Albert M. Sacks

saying, "It was a long battle but worth it. Now we've won total victory. The Philistines on the faculty are in disarray."

Registrar Mary D. Upton said that steps to implement the faculty's decision would be taken immediately. "We're making changes in all the School's forms as fast as we can," Upton remarked breathlessly, "including all transcripts that are sent out. We even pulled some out of envelopes that had been sealed already in order to ensure that Pass/Fail was used.

"Incidentally," the Registrar

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Students Streak Reading Room

By Leinad C. Nambuat

Three men and two women law students clad only in Law School ties last night streaked through the reading room of the Langdell Library and the Harkness Commons.

The incident, part of a growing fad, is believed to be the first to take place at a law school.

The identity of the five streakers could not be ascertained immediately, but it is believed that at least one of the men is an editor of the *Harvard Law Review*.

Dashing through the north end of the reading room in the direction of the Treasure Room, the five

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Fenno

Dean Paul M. Bator will investigate alleged streaking streak.

Five Law Streakers Spotted In Langdell Reading Room

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streakers attracted a great deal of attention from the usual staid, determined studiers who frequent the library. (At least one student, however, seemed unmoved by the event, and continued calmly underlining his casebook, undoubtedly with visions of *Law Review* dancing in his head).

The streakers yelled "Down with Torts," and "Streak for Casner", according to students who were at the library at the time.

Streaking first to the north end of the reading room, then to the south end, and back to the middle entrance, the streakers remained in the library no more than one minute. According to librarian Otto C. Klumpfelt, who was stationed at the entry at the time, the streakers were not asked to show their bursar's cards before they were allowed to enter.

After leaving the library, the students bolted down the Langdell steps, streaked through the tunnel, and then bounded up the steps leading to Harkness Commons.

They streaked through the main floor of the Hark, towards the Law School dormitories, where they were met by a VW van.

Reached at his home late last night, Vice Dean for Student Affairs William L. Bruce said that he didn't think any action would be taken against the students. "If that's their idea of being dashing young men and women, that's okay with me. There's nothing wrong with good, clean fun."

Administrative Board Chairman James Vorenberg took a different tack, however. The *Criminal Law* professor said that a thorough investigation would be undertaken, and that every effort would be made to determine the identity of

the streakers. Asked if he thought that streaking was a criminal offense, Vorenberg replied, "That's a very clothes question. All we want are the bare facts and the naked truth."

Constitutional law scholar, Professor Paul A. Freund, said last night that any law prohibiting streaking might be unconstitutional. "A court would have to weigh the expressive interests of the streakers against the interests of the state in maintaining a clothed society. I think that on balance any sensible judge would have to come out in favor of the streakers."

Student reaction to the streaking incident was swift. About 11 p.m. last night, the Ames third floor rowdies could be heard singing "On the Streak Where You Live," an instant parody to the song from "My Fair Lady."

Meanwhile, Jeremiah K. Phogul, 3L announced his plans to form a "Streaked-Out Law Students Association," and Winthrop T. Gilhooley IV, 2L said he intended to form a Gentleman's Streaker's Association. Asked why there were fewer female than male streakers, Women's Law Association spokesperson S. Marley Wise, 3L said that the presence of two women streakers was "fantastic" inasmuch as it represented 40 per cent of the total number of streakers. About 15 per cent of the Law School student body is female.

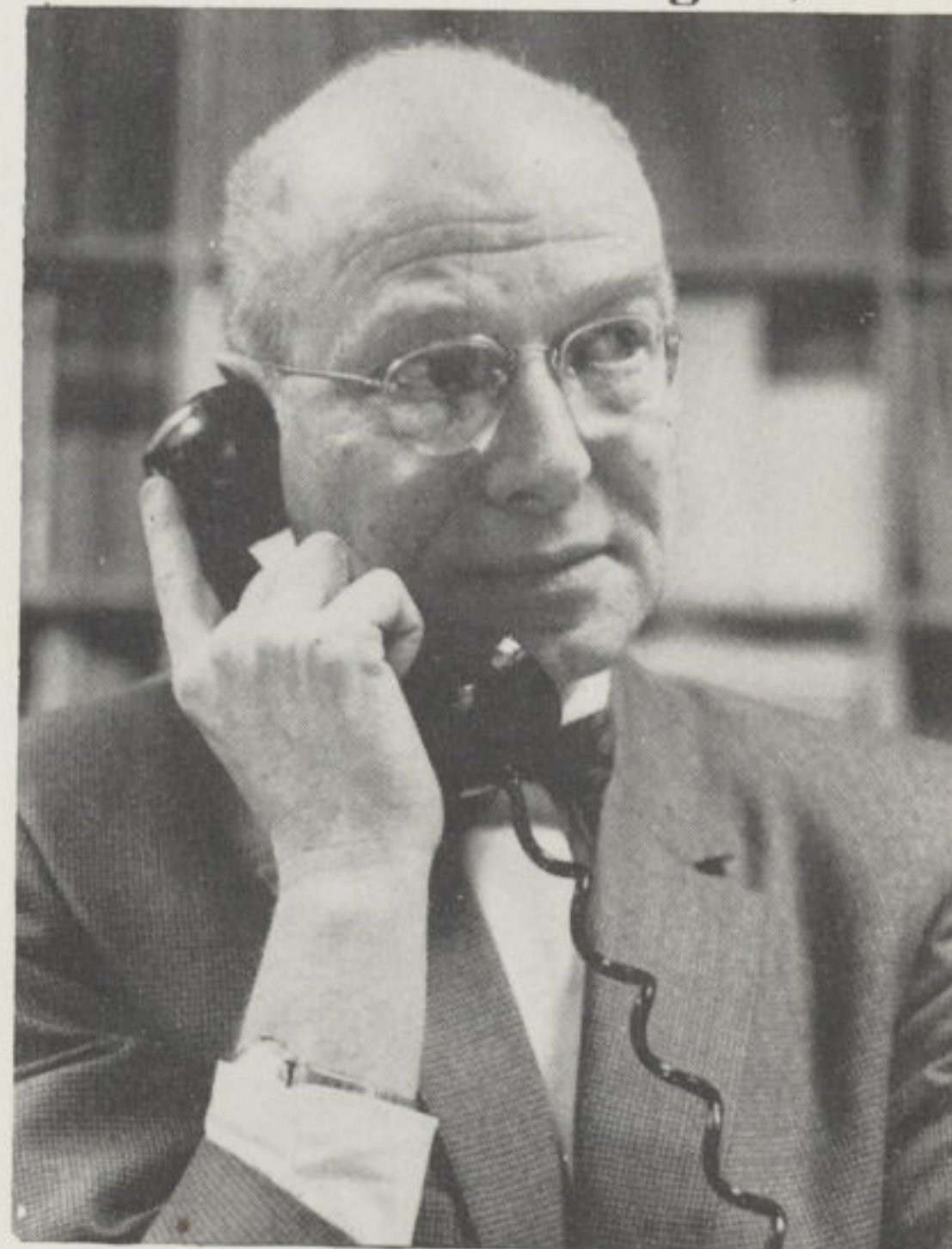
One streaker, who requested not to be identified, told a RECORD reporter just before the paper went to press, that one of the reasons for the streaking was to protest the excessive heat in the library during the energy crisis. Library temperatures have been reported to be as high as 86 degrees Fahrenheit in recent weeks.

Secret Faculty Meeting Votes Mandating P/F

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confided to the RECORD, "although I've never taken a public stand on the issue, I'm really pleased about the way this thing came out. I'm in favor of Pass/Fail."

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Dean Albert Sacks

History of Streaking

English legal history teacher Samuel E. Thorne last night described the origin of streaking, and traced it to the Thirteenth Century common law crime of "fasting."

The common law crime of fasting, he said, arose as an extension of what he said was "exhibitionism run wild." Thorne said the name "fasting" originated because the original streakers ran so quickly it was said that they were "fasting" from place to place. An alternative explanation for the name, Thorne said, was that the early streakers were punished by being locked up without food for two days. Thirteenth Century jurists believed, according to Thorne, that after two days without food, the "fasters" wouldn't have enough energy to continue their streaking activities.

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Congress Outlaws Dissents; Secret Faculty Meeting Votes Mandatory P/F

By Prak Yerffej
and
Kcirtap Ydennek

News of Tomorrow Today

UPI Washington, June 5, 1974.

The Capital City was rocked early this morning by a new wave of indictments handed down by Special Prosecutor Leon Jaworski. The 23 new indictments which were served upon high-ranking officials in all three branches of Government including Supreme Court Justice William O. Douglas brings to 276 the number of indictments issued by the Special Prosecutor's office.

The most recent wave was the third group of indictments issued since May 17 when Attorney General William Saxbe gave Jaworski *carte blanche* to "rake muck" wherever he may find it. Informed sources indicate more indictments will follow next week.

Supreme Court Justice Douglas has vowed to fight the indictment claiming that the statute he is charged with violating is unconstitutional.

Douglas is charged with violating a statute signed one week ago by President Nixon outlawing dissenting opinions. The statute, which was sponsored by the Sierra Club and other environmental groups to avoid using paper unnecessarily, was given swift approval by a bipartisan coalition of liberal environmentalists and conservative reactionaries. The Bill had been stalled in committee over the question of how to treat concurring opinions but was forced out by a contingent of ecologically concerned law stu-

dents who threatened a "Halls of Congress Streak" if action were not immediately taken.

In spite of the new law, last week Douglas penned a blistering dissent to the Supreme Court's majority opinion in *Rabbit v. Georgia* which upheld an age limit of 45 imposed on donors to artificial insemination programs. The State of Georgia argued that the distinction drawn was rational claiming that most donors who had passed the age of 45 were simply not productive. Douglas' dissent claimed that the statute violated the Equal Protection Clause. He urged that age be made a "suspect" classification under the Equal Protection doctrine and demanded that insemination programs award donors individual treatment.

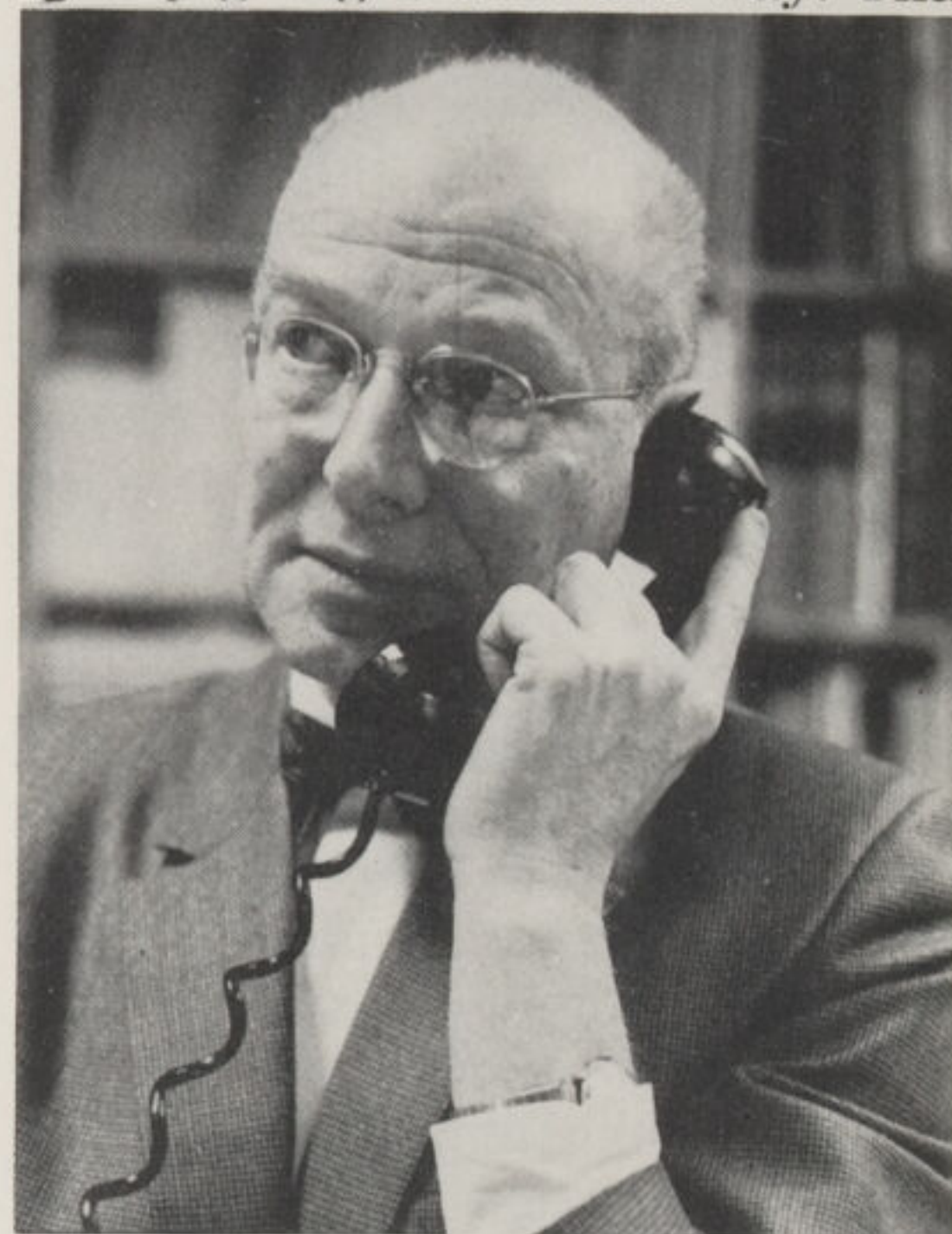
Douglas further contended that the 45-year age limit was simply unreasonable citing numerous articles testifying to male potency after the age of 90. "Obviously," Douglas concluded, "the men who wrote this law have sold themselves short."

Meanwhile, Douglas' dissent has been hailed as a seminal opinion by many Senior Citizen organizations who vow to support Douglas to the end. A spokesman for one such organization confided to reliable sources that among the proposals being considered is a Senior Citizen Streak. "We're ready to change with the times," he said. The spokesman further bragged that he could have 100,000 senior citizens out on the street tomorrow. "As Mr. Douglas says, we're not getting older, we're getting better."

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It was not known immediately what would be the reaction of those students who oppose the use of Pass/Fail. It was thought by some faculty members that this was a strong argument against across-the-board adoption of Pass/Fail, but in the end the forces of uniformity won out.

"We can't have one group of students going one way and another group going a different way. That



Albert M. Sacks '48

would dilute the whole effect that we are trying to achieve," said Contracts Professor Duncan M. Kennedy. "Why, if we allowed dissent, we'd be reifying the whole concept to which Pass/Fail is antithetical."

The Pass/Fail controversy had stirred resentment within the school for a number of years and, according to Associate Dean Paul M. Bator, "It would be desirable to have the Pass/Fail matter rest now for several years."

The RECORD had predicted that the faculty might soon reconsider its hasty February action. An editorial had noted, "Some members of the faculty candidly stated that they voted against optional Pass/Fail in order to speed the day when mandatory Pass/Fail for the

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Fun City Firm Raises Salary; \$24,200/Year

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week I made when I started out as a clerk, right after the Great War."

- Second, recent anti-trust decisions have caused the big firms to steer clear of the former "going rate" system under which each firm paid a strikingly similar starting salary.

- Third, recent relaxation in the federal wage and price controls allowed the firm, for the first time, to make a large lump adjustment in starting salaries.

The partner noted that the increased salary was only one prong of the firm's anti-inflation program. Starting December 1 (subject to federal agency approval) each associate will have a choice of drawing his monthly salary in a hard currency (Swiss francs, yuan, or rubles), fractional and undivided oil interests, or soybean futures. "That'll get those guys uptown who say we don't pay beans." Noting that "our SEC boys haven't had a whole hell of a lot to do since the market broke in '69," the firm's spokesman added that "filling out the registration forms for this new offshore compensation program will be d[*]n good experience.

"We're working on a little deal where each new associate will have his salary paid straight into a numbered bank account with his exam number on it," the spokesman chuckled.

Although reluctant to admit it, the partner noted that the firm hoped that the higher salary would lure a higher quality law student applicant. "We thought we were doing fine until about a year ago, then some fool had to go and tell our senior partner that the RECORD wasn't the same thing as the Review."

Similarly traumatic was the firm's discovery last summer that many recruits who had ranked themselves in the "first 10 per cent" of the HLS class had been counting from the bottom.

"Just don't quote me on any of this," he concluded.

Dean Proposes New 1L Ames Spring Round

By Prak Yerffej
and
Kcirtap Ydennek

In a special interview with the RECORD earlier this week, Dean Sacks announced that he will propose an additional round of Ames competition to commence immediately after spring vacation.

"Frankly," Sacks admitted, "I never would have thought of it myself, but there's been a line of belligerent 1L's outside my door since February 29 urging such an addition and I simply can't hold down the tide."

When asked what might have caused the upswing in student enthusiasm in a project which has traditionally been thought to be more unbearable than Law School Mixers and Harkness Dining Hall contracts, Sacks said he had a couple of theories.

"My first is that these students spent all of their time in college on strike, and now they feel that it is time to get down to work. (A quick RECORD survey discounted this possibility, however, by showing that the present class almost unanimously supported Nixon's invasion of Cambodia.) Sacks' second theory, equally untenable, was that these students had been caught up in the sexual revolution of the late 60's and were "understandably waylaid." Describing their current condition, Sacks said they were "capable of case concentration, but too pooped to pucker." (Another RECORD survey discounted this theory as well indicating that very few of the current 1L's had ever gotten anything — sexual revolution or not.)

Aside from these "possibilities", Sacks admitted that he could think of "no rational explanation" for the 1Ls' industrious behavior. Other eminent authorities at the Law School who preferred to remain anonymous concurred in this assessment.

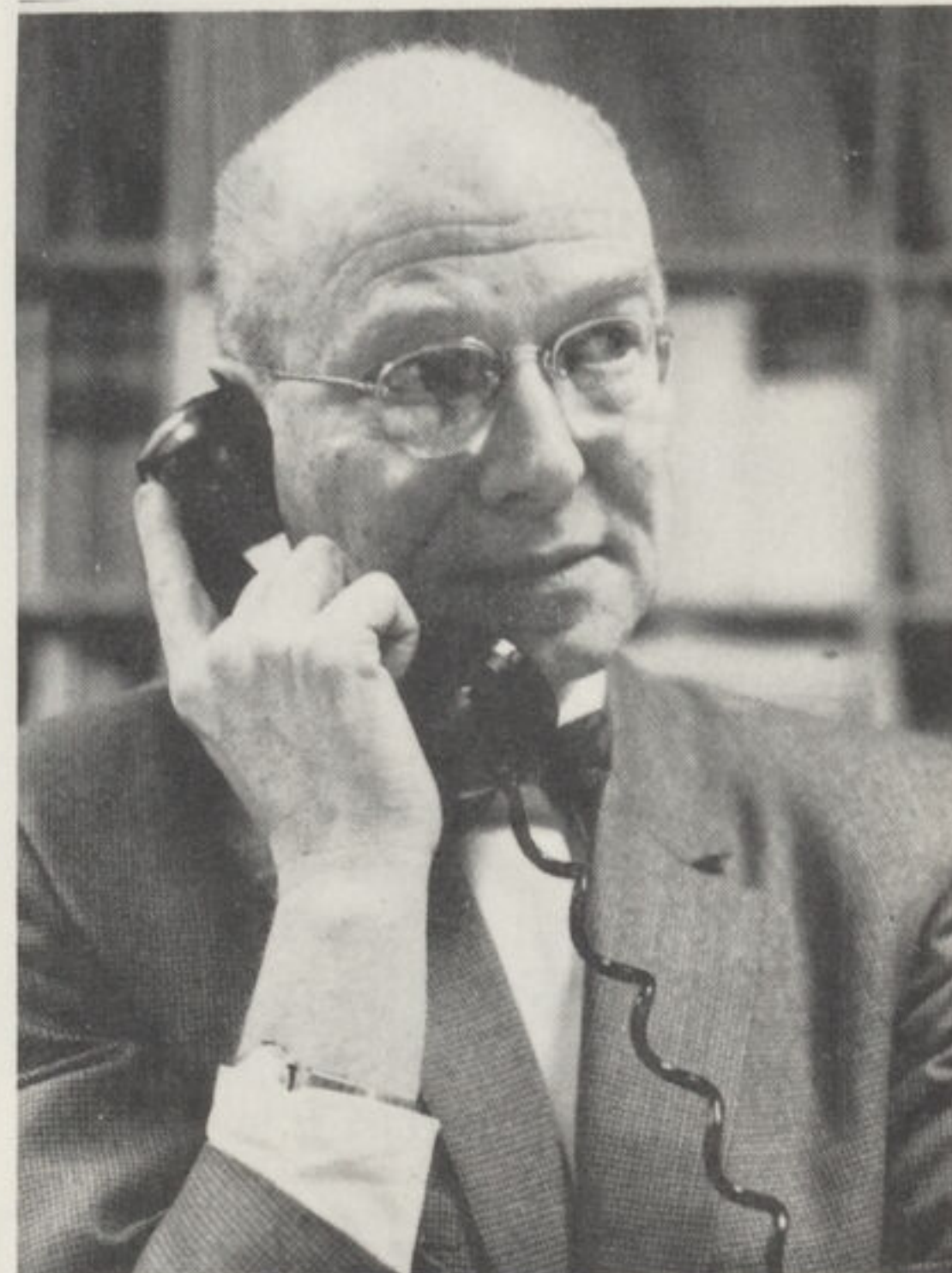
Meanwhile, opposition to the proposal has been organized
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Secret Faculty Meeting Votes Mandatory P/F

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first year would be considered and approved by the faculty."

Those words were prophetic, in view of the faculty's action Thursday. The vote was 27-18 in favor of mandatory Pass/Fail.

At the conclusion of the vote, one student observer asked that



Fenno

Dean Sacks

all faculty members who had voted against the proposition sign a sheet for future reference. Despite this, a motion to reconsider the vote which had just been taken failed miserably.

The question of Pass/Fail or Pass-Fail was one of first impression at the Law School, and in spite

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1L Ames Second Round To Begin Early in April

(Continued from Page 4)

spearheaded by the Board of Student Advisers. Spokesmen for the BSA pointed out that they've already been worked overtime in the present competition. "It's one thing when 1L's ask us what brief paper is and where they can buy it. It's entirely another matter when they actually want us to qualitatively evaluate the strength of their arguments. It used to be Ames was just a pleasant opportunity to socialize over at the library."

Appearing drawn, haggard, and bleary-eyed, the President of the BSA announced that he would use the minimal powers of his office and dwindling staff to offset the proposal. "I'm ready to bring in outside agitators if that's what it's going to take," said the Anarchy major from Columbia. "I may have been at Law School for two years now, but I still know what's fair and just — and we're getting screwed!" At this point the aging 23-year-old slumped in his chair and fell fast asleep though he was immediately awakened by a 1L who wished to discuss meta-interpretations of the speech and press clause.

Vice Dean Bruce, who has been approached by moderates from both sides, has announced that he will seek a resolution to the controversy through round-the-clock negotiations in the Mallory Smith room. Bruce plans to prepare for his role as moderator by learning to speak with a German accent.

The RECORD has learned that Bruce's initial compromise will be to allow the additional competition but with the stipulation that students will only be allowed to work "half as hard." Bruce emphasized that students who violated this provision would be turned into the Dean's office and face stern measures.

Sports Answers

1. Luke Appling
2. Cornell Green
3. Lacrosse (he also finished third in the NCAA decathlon championship)
4. Dick Groat
5. Curley Culp
6. Jackie Robinson
7. Dave DeBusschere
8. Jeff Congdon
9. Mike Souchak
10. Paul Giel

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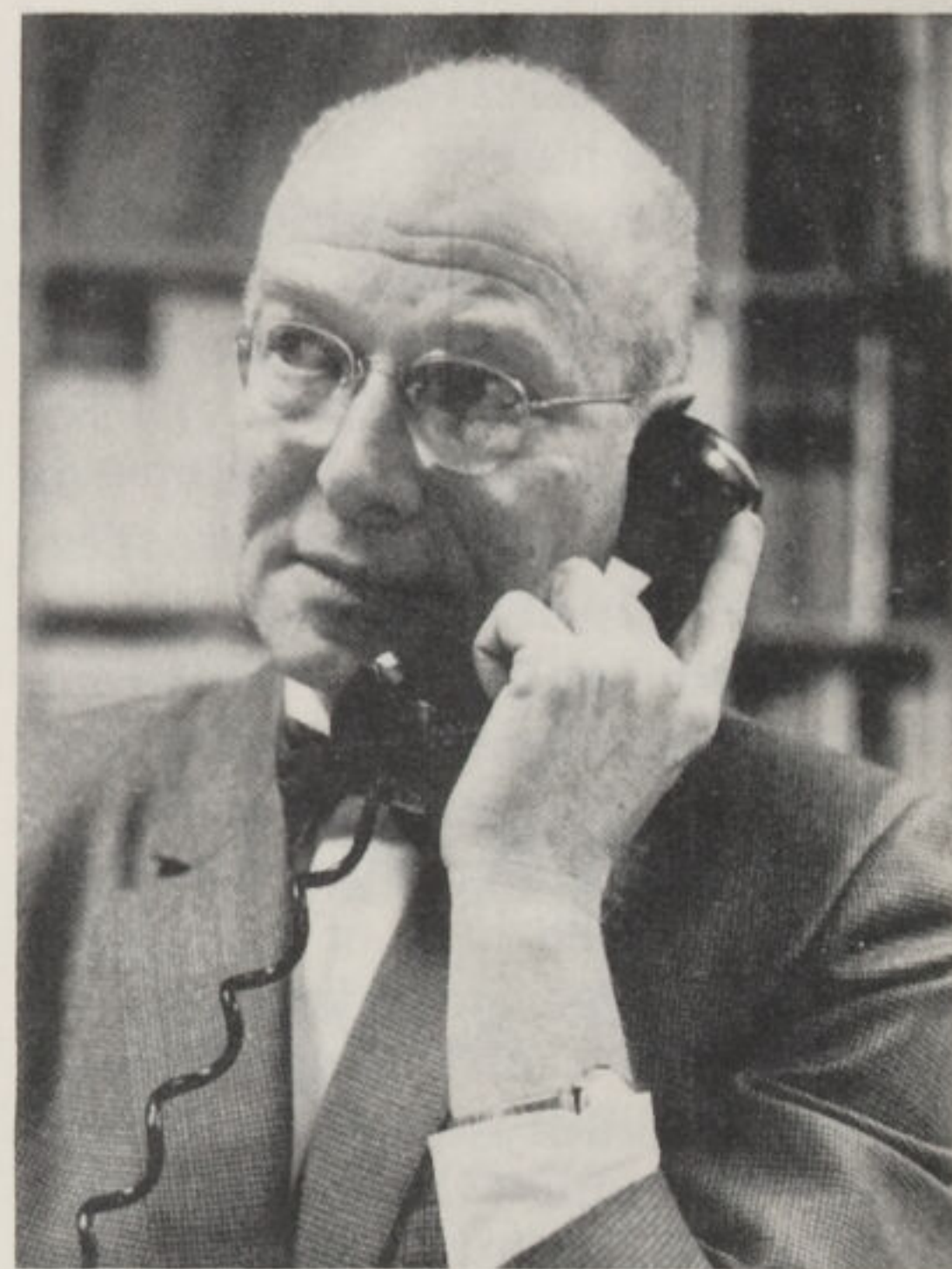
Internal Revenue Service

Secret Faculty Meeting Votes Mandatory P/F

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of weighty authorities on both sides, only the vote of the faculty could ultimately decide the matter.

Professor Charles Fried, speaking for the hyphenated minority, had argued, "It's not a question of provenance, it's just a question of telling the truth." He was strongly supported by Associate Dean Paul M. Bator, who cited statistics showing that in over 53 per cent of the



The Dean

countries of the British Commonwealth of Nations, Pass-Fail was preferred. He also stated that his personal study had shown that students who used the term Pass/Fail performed 2.3 per cent lower during the first year than students who used the term with a hyphen.

Professor Louis Loss interjected that his experience suggested that neither of the main approaches was tenable, but rather that the two words should be entirely separate, i.e., Pass Fail, as in "pass a dividend." He referred to the use of the term as catalogued in Webster's Unabridged Dictionary.

The decision at Harvard will probably be followed by a wave of similar actions across the country.

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High Court Reconsiders Consideration

By Prak Yerffej
and
Ydennek Kcirtap

The Supreme Court announced today that it will grant certiorari in a recent Arizona case which, if upheld, abolishes the consideration requirement in American contract law.

The case, *Lackoff v. Good Yuma*, 211 P.4th 1957 (1974) involves a precocious 11-year-old all-star little leaguer who studies psychoanalysis at Berkeley during the winter, taking law school courses at night. Lackoff brought this action two months ago against Good Yuma to obtain a year's supply of chocolate eclairs claiming that Good Yuma had more than they needed and that he could no longer afford to pay for them.

Lackoff's theory of the case, according to his attorney, Professor Duncan M. Kennedy, was acceptance of a quasi-offer, which is binding without consideration under the Uniform Written Obscuration Act, which originated in Pennsylvania.

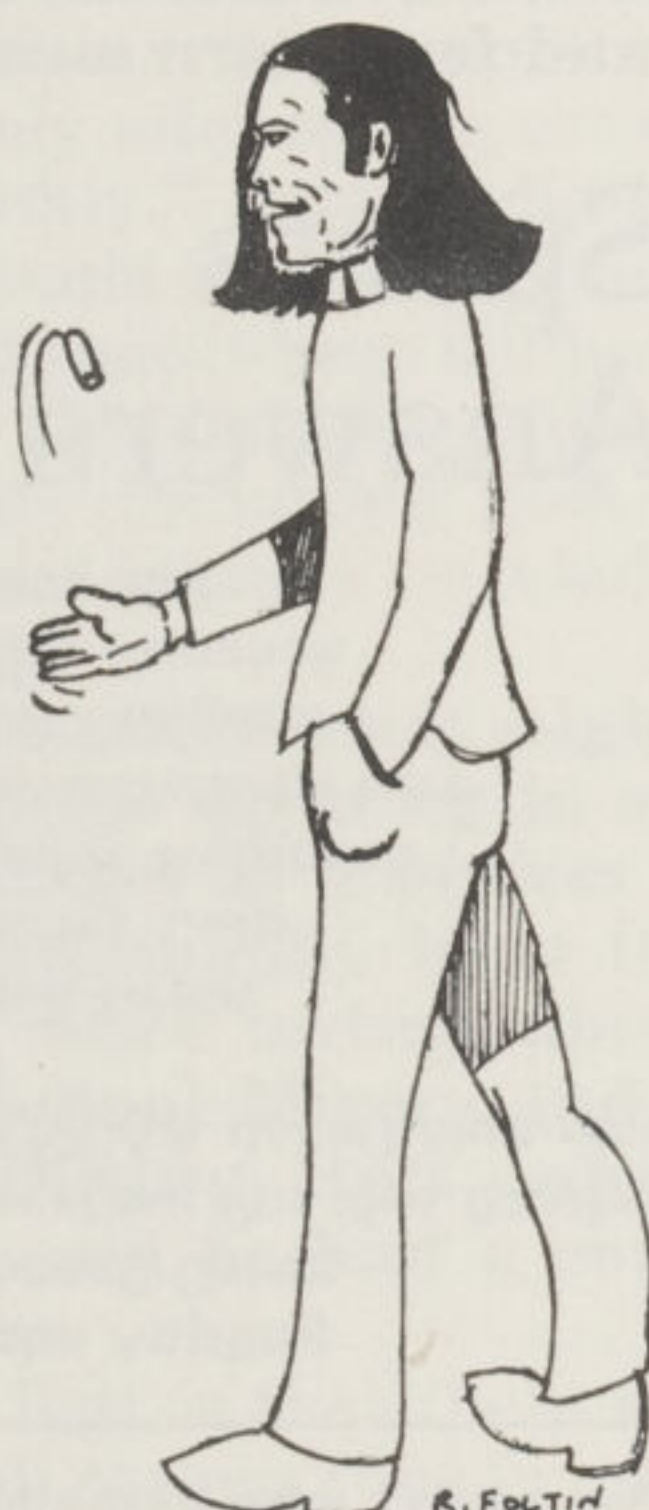
At the trial, Good Yuma's lawyer smugly pleaded lack of consideration and moved for a directed verdict. District Court Judge Veritas Highly Friendly (brother of the noted Second Circuit judge) granted a directed verdict, but shocked all by finding for the kid.

Good Yuma was disgusted. Claiming that they would seek to send the case directly to the Supreme Court, Good Yuma alleged that they suspected "a sinister force." One lawyer speculated that hypnotism could not be ruled out: "I simply don't trust him—look at his record; would you buy a used car from him?"

Two days afterwards, Judge VHF handed down his three-page hand-written opinion. Friendly wrote "contract law is simply a bouquet of contradictory principles allowing Judges to pick their favorites and decide what they want, all the while pretending that they are up to their ears in venerated historical wisdom. Most law professors," Friendly added, "can't see the forest for the treatises."

"Actually," Friendly said, "con-

sideration doesn't mean a damn thing. They told me that in Law School, but they also told me not to tell since it would mean Wall Street lawyers on TV game shows and skid row within a week." Judge Friendly concluded that "the world will be a better place when consideration means telling your mother-in-law you enjoyed her visit."



Insouciant chalk-tosser will argue.

It was rumored that the opinion in the *Lackoff* consideration case was actually drawn up not by Friendly but by his clerk, D. Towne Burbank, noted for his statement that "If you knew the material, the

Comm Trans exam was ridiculously easy."

Burbank's style was apparent in the opinion's easy shift from a strict liability test for the production of eclairs to a compelling taste interest criterion, confirmed by the order for delivery of six dozen eclairs to the judge's chambers in Window Rock.

Shortly after the issuance of the opinion, a team of doctoral linguists from MIT stated that they had uncovered irrefutable proof Friendly was under some mysterious occult spell, though they declined to speculate upon its origin.

Meanwhile Good Yuma is under court order to deliver four eclairs each day to Lackoff, who plans to eat one on national television each week.

The controversy, which should come up before the Court in the fall term, has attracted considerable national attention. Among the parties who will file amicus curiae briefs for Good Yuma are West Publishing and *Gilbert's*; both plan to send copies of their publications. The Nutshell series publishers will also file a short brief alleging that the demise of consideration might crack *Contracts in a Nutshell*.

Law students all over the country have been dancing in the streets in celebration of their legal liberation.



Fenno

Rose of Aberlone visits Professor Byse's Contracts class. For a companion story about the T. J. Hooper, see page 8.

Complaint Phone Lets Dorm Council Off Hook

A nightmare of disrupted phone service for hundreds of law students ended last week, after an extensive investigation by New England Telephone. A company spokesman explained that the investigation was one of the most difficult ever conducted in the greater Boston area.

The first complaint to reach the company was made on March 4 by a 1L who reported that she had received 30-40 calls that morning from people who believed that they were calling the 24-hour number that the Dormitory Council recently installed for the reception of complaints. By early evening the student had answered almost 100 calls. On the 5th the calls continued, even though she told callers that they obviously had dialed the wrong number. By that evening she had been placed under sedation and her phone was being answered by a special agent of New England Telephone.

The RECORD's attempts to learn the student's name were rebuffed by the company, but a classmate of hers reported that she is still suffering from shock.

"It was simply horrible," he told this reporter. "As soon as someone would report that a dryer had dispersed lint all over his black turtleneck sweater and hang up, someone else would call and complain that he had pressed the Necco button on a candy machine and had gotten a Baby Ruth instead. A lot of callers sounded as though they were at the end of their ropes. One guy just kept calling so that he could leave clues about a treasure he said that he had buried in the Common. She just couldn't take it any longer. I just hope that she will recover in time for finals."

The company spokesman, Mark Brocet, explained that, after logging 648 Dorm-Council-related complaints, their investigators decided that a newly installed computer was simply transferring all calls dialed to the 24-hour number to the number of the hapless 1L, apparently in the belief that the numbers were part of the same office system. "There appeared to be a digital coordination that was causing magnified transverseness," he

reported. By the 7th, however, complaints began to reach New England Telephone of dead lines on the Harvard Centrex system. At least 200 law students reported that they had received no telephone calls for a matter of days.

"Normally, that is not a matter for systemic concern," the spokesman said, "but these were Harvard Law students, the type of people who should have their telephonic reception devices ringing constantly." Another investigation was launched, and it was discovered that, because the computer had read the Dorm Council number as "dead," it had authorized the temporary suspension of certain dormitory telephones.

New England Telephone attempted to contact the Dormitory Council, but could only get a busy signal. Only after a number of Dane Hall students threatened to file a class action suit did the company get a court order authorizing it to inspect the offices and rooms of Dorm Council members. After an inspection of three rooms, investigator Ron Glassburn discovered the telephone whose number corresponded to that of the 24-hour "complaint" phone.

"It was in the rear of a closet," Glassburn told the RECORD, "under a pile of underwear and an overcoat. The receiver was off the hook. A belt buckle was resting near the phone." New England Tel surmises that this may have caused the com-

puter to take the action that it did. "Someone sure wanted to hide that thing," Glassburn noted. "If it hadn't been for the court order people would still be dialing the complaint phone and either getting a wrong number or getting some other number by mistake."

A company spokesman reported that a blue-ribbon panel will be appointed soon to determine how such an incident can be avoided in the future. Dormitory students contacted early this week were quite angered over the incident.

"I still can't find anyone to stop my radiator from hissing," one complained, "Who the hell do I call?" One resident, seen pulling a mass of wet clothes from a dryer, yelled to this reporter, "I spent so much time last Friday trying to get through that I missed a TG, and you can quote me."

The RECORD was unable to reach the Dorm Council for comment.

HLS Sports Trivia Quiz

1. Name the star backfield man for Oglethorpe who later was named to the Baseball Hall of Fame. Hint: He was a shortstop who was famed for his ability to hit foul balls.
2. What NFL defensive back was a college honorable mention All-American basketball player?
3. In what other sport was Jimmy Brown an All-American?
4. What Duke All-American basketball player went on to be an All-Star shortstop in the 1960s?
5. What NCAA wrestling champion is now playing professional football?
6. Name the UCLA All-American football and basketball player now a member of the baseball Hall of Fame.
7. What University of Detroit alumnus has been a player in two major professional sports in the 1960s?
8. Name the former Dallas Cowboy who also played in the ABA.
9. What pro golfer, who holds the record for the lowest score in a single competitive round, played college football for Duke?
10. What former Minnesota All-American quarterback went on to an undistinguished career as a journeyman pitcher in the major leagues?

(Answers on Page 5)

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Boats That Tow 'em Inspire Poem

The Case Of The T. J. Hooper
(USCA, 60 F2d 737, 1932)

By LeNobbe Kingston

The *Montrose* and the *Hooper*
In an easterly gale
& The carrying of radios
It did not yet prevail

There was a change of weather
But they still went chug-a-lug
and the cargo sued the barges
& the barges sued the tugs.

The vessels were not worthy
Though the weather it was fair
No symptoms that were ominous
The tugboats had no cares.

The *Montrose* with the 17
It took an outside course
The *Hooper* took the inside
With the 30, but no Morse

They were passing by the Delaware
At midnight on the eighth
The trouble was some miles ahead
But the tugboats they had faith

Oh the wind began to freshen
On the morning of the ninth
And the devil took the hindmost
And the master drank a pint

The *Hooper's* tow was out of hand
So signalling the tug
The number 30 was aleak
They couldn't find a plug

The barges did drop anchor
And they all rode out the storm
The 30 sank without a trace
The 17 next morn

Both the cargoes and the tugboats
Said the barges were unfit
And the cargoes and the barges
Said the towlines were just shit

The weather's sent from Arlington
Morn & evening right at ten
But the tugboats didn't hear it
And they tugged on round the bend

A tug bound north to New York city
With its falling glass
It did put in at Arlington
The *Hooper* it did pass

They said that prudent masters
Would not have stood the gale
But prudence without crystal sets
Won't keep you out of jail

If a tug has ears of radio
Binoculars for eyes
It could catch the storm predictions
And travel weather wise

But the *Montrose* & the *Hooper*
Had no radios but toys
The owners wouldn't buy 'em
Even though they're helpful noise.

The barges with their heavy coal
Were strung out half a mile
Though a stauncher craft would have turned back
The masters they did smile

For the weather through the radio
Did not its static send
& the *Montrose* & the *Hooper*
They just chugged around the bend

Is it then a proper answer
That few tugboats had the sets?
Should crystal ears be *de riguer*
Or only judges' pets?

If it's reason but not common -
Or is there a better test? -
If whole callings are all lagging
Should the courts their better best?

To adopt these new devices
Or to scuttle precious coal?
Judge Learned Hand laid out the rule
"A radio's the goal!"

A universal disregard
Will not excuse omission
Judge Hand commands the tugboats use
Some magical transmission.

He said, he did, though some were right
The others were too slack
& the Judge he went & told 'em
To take a different tack.

The injury was consequence
Of lack of radios
They had to get the message
About the wind that blows

If they'd got reports from Arlington
The tugs would have turned back
"These here boats are just plain unseaworthy!"
Better take a different tack.

Oh the *Montrose* & the *Hooper*
In a gale that did prevail
The *Montrose* sued the *Hooper*
& the *Hooper* sued the gale.

HARVARD LAW RECORD

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MARCH 15, 1974

TWENTY CENTS

Richardson Disputes Nixon's 'Impeachable Offense' Views

By Michael Bowen

Elliot Richardson said Saturday that "we need more evidence" before deciding whether or not President Nixon should be impeached.

At the same time, Richardson disagreed with the definition of impeachable offense put forward two weeks ago by White House Lawyers. "It seems clear to me as a matter of common sense that impeachable offenses cannot be

tapes and documents, however, Richardson said, "that could have been considered an impeachable offense." Richardson contended further that Nixon could be held accountable for the acts of his subordinates "if he created an attitude which fostered such acts."

Richardson also said that he would not run for governor or
(Continued on Page 10)



Mark McNeil

Elliot L. Richardson '47

limited to matters defined in the U.S. Penal Code," Richardson said.

Richardson observed that President Nixon's refusal to disclose various pieces of evidence relating to the Watergate cover-up is not "an indictable offense or an impeachable offense as long as he's asserting some legal basis for the claim." Had Nixon defied Judge Sirica's order to produce the subpoenaed

'Raw' Review Editors Streak Langdell, ILS

Last Monday night at 12:45 a.m. two officers of Volume 88 of the *Harvard Law Review* raced nude around Langdell Hall, through the ILS tunnel and around Austin, and back to Gannett House in Harvard Law School's first streak.

A few nightowls observed the event from the fifth floor of Hastings Hall and one was heard to observe, "My God, they're heading for Gannett House."

The high-ranking streakers were met on their exit from Gannett House by a taxi, which they mistook to be a police car, but continued their blue streak undaunted. The temperature was below freezing at the time.

Asked by the RECORD why he did it, one of the participants replied, "Because it is there." Queried if that meant Langdell, the *Reviewer* clarified with, "No, my body."

Library Takes More Outlines From Shelves

By Daniel M. Taubman

Five additional *Harvard Law Review* outlines are no longer available to students at the Law School Library.

The five — four of which are at least a decade old — join the *Commercial Transactions* outline, which was made unavailable to students last month by order of Professor Andrew L. Kaufman.

The four decade-old outlines which have been withdrawn from general circulation are for *Federal Courts*, *Business Planning*, *Estate Planning*, and *English Legal History*. These outlines were withdrawn at the requests of the professors teaching those courses: Paul M. Bator; David R. Herwitz; David Westfall and A. James Casner; and Samuel E. Thorne, respectively.

In addition, retiring Professor James H. Chadbourn has requested that the 1971 *Law Review* outline for his *Evidence* course be withdrawn, since he will no longer be teaching the course.

The withdrawal of these outlines leaves the number of *Law Review* outlines still at the Library at 16. According to Assistant Librarian for Public Service Mary L. Fisher, many of these 16 outlines pertain to courses not being taught this semester, and may be withdrawn from circulation at a later date.

Outlines in this category include ones for Professor Donald F. Turner's *Antitrust*, Professor Paul A. Freund's *Constitutional Law*, and Herwitz's *Accounting*.

According to Fisher, there is a possibility that the *Commercial*
(Continued on Page 16)

Richardson Urges Localism

(Continued from Page 9)

senator in any state in 1974, and that he had yet to decide whether or not to run for President in 1976.

Richardson made all of these comments in response to questions from the audience packed into the main floor and the balcony of Sanders Theatre for the Harvard Law School Forum presentation, which featured Richardson in a talk moderated by HLS Professor Archibald Cox. In a forty-five minute speech preceding the question-and-answer period, Richardson concentrated on what he called the "affirmative impact" of the Watergate crisis, saying it proved that "the system is working."

Quoting Rousseau's proposition that, "Every society contains within itself the seeds of its own destruction," Richardson said the response of American institutions to Watergate establishes that, "Our society contains within itself the seeds of its own regeneration."

"The rebound of Congressional and judicial power in reaction to Watergate is what was supposed to happen," under the system of checks and balances conceived by the framers of the Constitution, Richardson said.

The former Nixon cabinet officer proceeded to praise the response to the crisis of various other elements of American society. He said the reaction of the Democratic Party was "not only legitimate but desirable," the role played by the media was "also as it should be," and the actions of "the public generally" afforded "reason for encouragement."

Richardson suggested that the Watergate scandal underlined the validity of such traditionally conservative values as limited government and community control of essential governmental activities.

"It used to be that only conservatives would point with alarm to the increasing centralization of power," Richardson asserted. "I would hope that Watergate would create a new perception of the need to disburse power."

"Much is done by Washington that need not be," he noted in expanding upon this idea, "from community development to delivery of health services. If we wish to

exercise more control over the things that affect our lives, we will have to take affirmative action to see that that happens. We must therefore identify functions which can be performed at the community level."

In outlining what he said was the need to transfer effective

all, in fact, only in the most general terms.

Several of the questions put to Richardson by the audience were hostile. One questioner asked Richardson if he had been aware of the "illegal bombing raids carried out by General Lavelle," and why, if he had



Mark McNeil

Cox and Richardson reminisce before Forum appearance

governmental power to the local level, Richardson emphasized the popularity of this view at the opposite edge of the political spectrum.

"I find myself closer in point of view to spokesmen for the radical left when I talk about community," he said. "I find that I am echoing their views and that they are echoing mine."

Despite his repeated references to the Watergate scandal itself, Richardson did not criticize the Nixon Administration directly. He referred to the administration at

been aware of them, he did not testify concerning them. Richardson answered that, after reviewing the record concerning Lavelle's activities, he had concluded that "the evidence did not justify a court-martial."

A second member of the audience immediately asked if Richardson felt "responsible for the Vietnamese people killed in those raids." Richardson responded that, "This all took place long before I became Secretary of Defense."

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ACSR Advises on Stock Votes

By Frank Sisson

What can Harvard do to insure that Mobil Oil follows fair employment standards overseas, or to force Eastman Kodak to disclose political contributions? As a shareholder, the Harvard Corporation has voting power in these corporations and others. And through proxy arrangements, proposals on such issues may be supported.

The Advisory Committee on Shareholder Responsibility, now in its second year of operation, was created to advise the Corporation on how to vote on proxy proposals. As an educational institution, Harvard could not maintain proper academic freedom if the Corporation were allowed to become an initiator of such public interest proposals. But the ACSR evidences the university's desire to consider seriously the important problems set before it in the form of proposals by other public-interest shareholders.

Professor Stanley S. Surrey has been chairman of the ACSR since its inception. The committee is composed of five appointed alumni, five faculty members (with Surrey representing the Law School), and five students. The law student slot on the ACSR, last year filled by **Rebecca A. Donnellan, 2L**, is currently open.

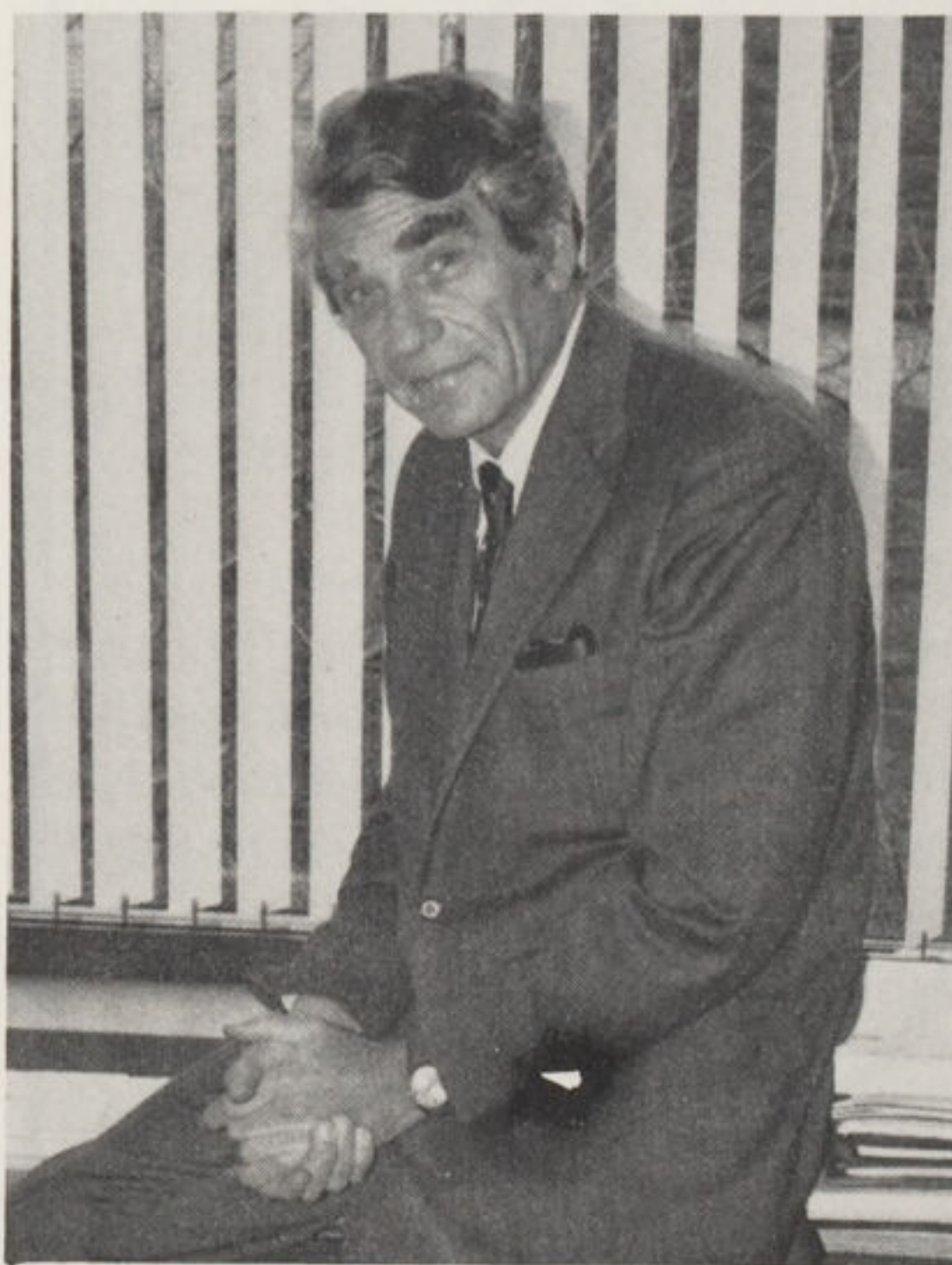
A meeting of the ACSR was held last week to outline the committee's schedule for the spring; most of the corporate shareholder meetings are in April and May. Though the actual proposals have not been received, the ACSR has information on general issues which churches and other groups will be advocating for various corporations in which Harvard owns stock. Surrey commented that the major task of last week's meeting was to denote issues to be discussed and to set the schedule of ACSR meetings so that recommendations could be made in time for the Corporation to act upon the separate proposals.

The next ACSR meeting is set for March 19. Surrey explained: "We'll probably meet every week thereafter through the first week in May." The ACSR chairman added that "it is a lot of work; the problems are

difficult and unsolved in many cases."

The issues which face the ACSR and Harvard are generally raised by public-interest groups, though sometimes by individuals. Disclosure of corporate activity, equality of employment, strip mining, political contributions, and the environment were identified by Surrey as some of the topics with which this year's shareholder proposals will be concerned.

Sears, Texaco, Kennecott Copper, General Electric, and ITT rep-



Mark McNeil

Professor Stanley S. Surrey

resent some of the corporations involved in upcoming ACSR discussions. "There are about 25 corporations for some of which there are more than one issue," stated Surrey. This represents 60 to 70 per cent of the total number of major corporations facing such public interest proxy proposals. The committee attempts to discuss issues common to more than one corporation at the same meeting.

The procedure of the ACSR is to consider the recommendations of the IRRC (Investor Responsibility Research Center) on each proposal. "The IRRC is a non-profit organization which advises institutional investors that want to know what is involved in various proxy questions." On the basis of this "and any other information we can dig up," the committee reaches a resolution on how the Corporation should vote

on each proposal. A summary of ACSR opinions and minority positions is added in the report that is submitted to the Corporation. In contrast to the practice at Yale, the ACSR's recommendations are made public.

"The Harvard Corporation does not have to accept our recommendations if they don't want to," admitted Surrey. But, he explained, they tend to be considered seriously.

Last spring the advice of the ACSR was indeed considered seriously. The committee had made 24 recommendations to the Corporation, which had to make 28 voting decisions. In 12 instances, the Corporation voted specifically as advised; only in 5 of the 24 was the Corporation's vote directly opposed to the ACSR's recommendation. The other votes reflected varying degrees of compromise. Not all recommendations of the ACSR supported the public-interest proposal. Six recommendations supported management positions. The ACSR advised abstention on three issues, and gave no formal recommendation on four.

Such interaction between the Corporation and members of the academic community has not been long standing. Only two years ago, in April 1972, a mass picketing and occupation of the Harvard President's office followed Harvard's refusal to sell stock in the Gulf corporation to protest Gulf's operations in Angola. Last year both Harvard and Yale adopted current advisory committee machinery.

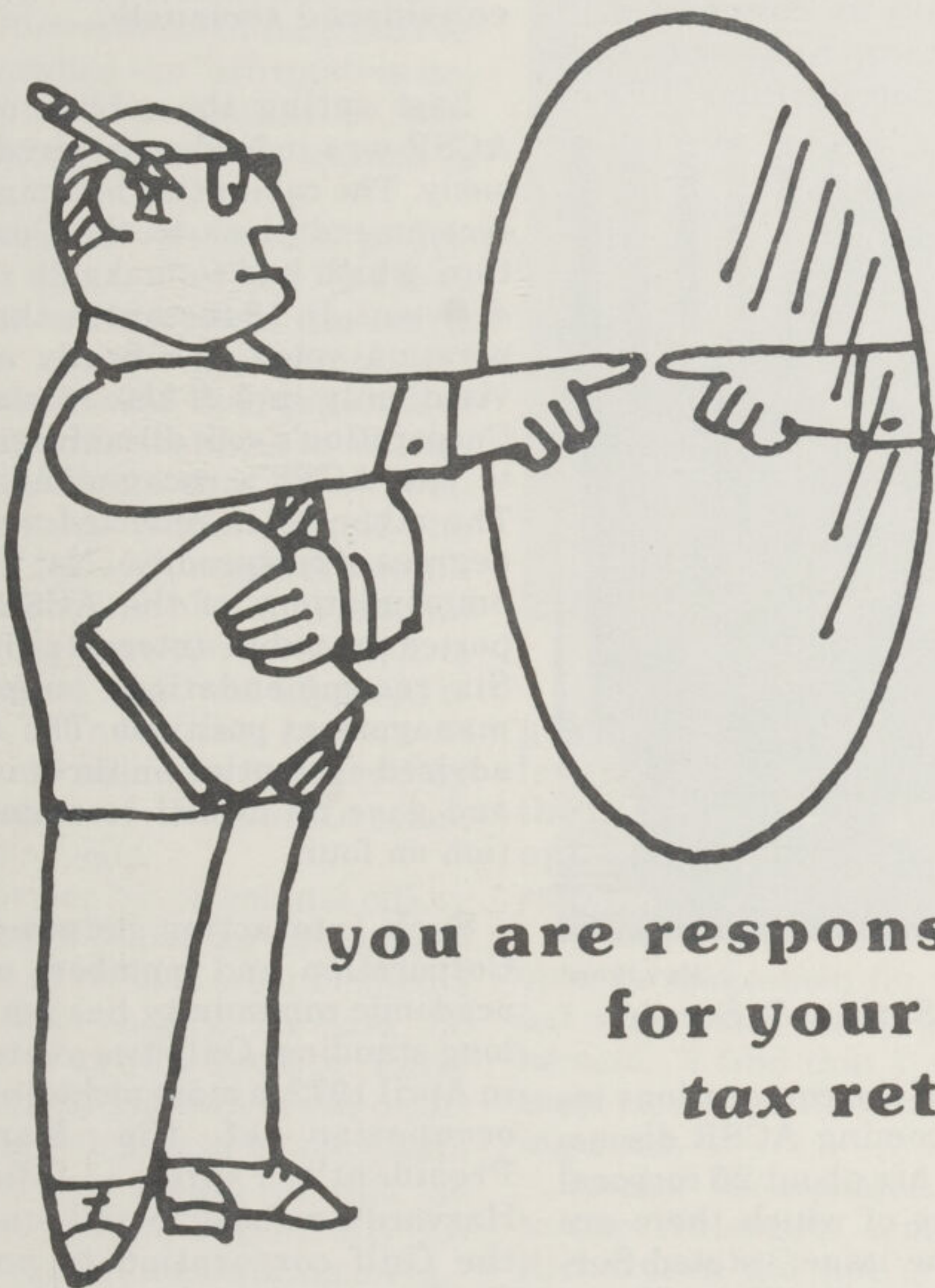
"Harvard has no control over the operations of such corporations as DuPont and Bethlehem Steel, in which the Corporation owns no stock," reserved Surrey. But the university does have a responsibility to use its voting power in the corporations in which it is a shareholder in a manner that considers feelings of the academic community. The operation of the ACSR has been an important step in this direction.

One Buff Run

We think that the practitioners of the current fad for running around in the altogether should be rebuffed. Whether on a hot streak or a cold streak, they are attempting to declare the social contract a *nudum pactum*. The Supreme Court should have no difficulty drawing a bright line between this aberration and other forms of expression, for such full disclosure is clearly not in the public interest.

Dear Mr. President

No matter who helps you



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HARVARD LAW RECORD

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Fenno

"You have no standing," the third-year student shouted, losing control of himself in the heat of argument.

The second-year student folded his arms placidly across his chest and shook his head with mocking self-assurance.

"I'm an interested party," he averred. "Besides, this is an equitable action."

"He who would have equity must do equity," *Campbell Soup Co. v. Wentz*, the 3L responded evenly.

"What are they arguing about?" a 1L asked Fenno, who was watching the proceedings disinterestedly from some distance.

"That's sort of a broad question," Fenno answered. "I think the original issue was whether oral covenants of immunity from rent, given in consideration for a conveyance of real property, pass with the land in a subsequent transaction."

In some corroboration, the disputants returned their attention to just this point.

"The whole transaction is void anyway under the Statute of Frauds," the 2L asserted. "It was an oral contract to convey land."

"The Statute of Frauds doesn't apply in this jurisdiction."

"It has to. This is a common law state."

"It can't be: it isn't even a state."

"It's English-speaking."

The third-year student had to admit that this was true. But he immediately adopted a different line of attack.

"The covenant wasn't under the Statute, even if the conveyance was," he said.

"The covenant was an integral part of the transaction."

"But it was distinct."

"Then how can you say it runs with the land on a future conveyance?"

This stunning rhetorical stroke would have ended the argument if the 1L, whose *Property* vocabulary wasn't as rusty as that of the older students, hadn't jumped in.

"It was an encumbrance specifying a condition subsequent to which the fee was subject," he rattled off.

Fenno looked at him with rare admiration.

"That couldn't possibly be right," he said, "but it sounded incredibly good."

The 2L shrugged.

"Do anything you want to," he told the 3L petulantly. "You're just delaying the inevitable." Then he rolled the dice.

"They take Monopoly very seriously on this floor," Fenno explained to the 1L. Superfluously.

Equal Time

"We have not yet begun to fight on the tax issue."

By The RECORD'S Nixonite

Letters

30's Admissions Emphasized Grades

To the Editor

Forty-five years ago, and for many years before and after, it seems the policy of the Law School on admissions was to emphasize grades. The enclosed photocopy of a page out of the Official Register for 1929-30 is some proof of this.

Somewhere along the line that policy changed, but the change was not clearly defined until the Law School joined the respondent's ranks in *DeFunis v. Odegaard*, 507 Pacific 2d 1169 (1973), now before the Supreme Court of the United States. Professor Bickel of the Yale Law School successfully pursued a writ of certiorari at the behest of the Anti Defamation League of B'nai Brith....

What, indeed, is a "minority" group in this context? Is one's origin the determining factor for membership? Is it Russian, Polish, Greek, Italian? Singly, each of these is a "minority." They have to be grouped together to comprise a majority....

The Fourteenth Amendment, Section 1, may be well expanded to include under due process the policies of educational institutions, privately or publicly endowed, if they qualify persons to acquire the "privileges" of practicing a state-regulated profession. To deny equal protection to persons because they are not members of a "minority" is much more than a deprivation of constitutional guarantees: such denial inherently ratifies a new and dangerous divisiveness for America.

Maxwell L. Slote, '32
Great Neck, New York

ADMISSION OF STUDENTS

The following men will be admitted without examination as candidates for the degree of Bachelor of Laws: —

1. Graduates of colleges of high grade presenting approved college records.

2. Graduates of other colleges of approved standing who ranked in the first quarter of the class during the Senior year.

No student will be registered before July 1, 1929, but as in recent years the number of students seeking admission has much exceeded the number that can be admitted, applicants for admission should submit, prior to July 15th, applications in the form of a letter to the Secretary, and transcripts of their college records. Otherwise applications are likely to be considered only for such vacancies as may occur. Records complete to the second half of the senior year will be accepted until July 1st. Notice of acceptance or rejection of the application will be given not later than August 1st.

Students excluded from other law schools for deficiency in scholarship will not be admitted.

MARCH 15, 1974

Students Quiz Gerald Ford At Harvard Club in Boston

By Ricardo Hinojosa

"It seems to me that in the case of kidnapping there is a justification for the death penalty" stated Vice-President Gerald R. Ford in response to one of the questions raised by a group of about 100 Republicans from Harvard College, Harvard Law School, and Wellesley. Ford addressed the group at the Harvard Club in Boston last Monday afternoon.

Ford made the appearance to accept the Harvard College Republican Club's "Man of the Year Award". After a few remarks about "disillusionment among young people about our political system and some of the people in that system" and an exhortation to improve the system by becoming a "participant", Ford fielded questions for about 30 minutes from the audience.

The Vice-President firmly stated "any loyalty to the White House and the President have not compromised my convictions at all." On foreign policy, Ford declared President Nixon is "the best Republican President in this century if not ever" while charging that in domestic policy a Democratic Congress has compounded problems "rather than helped to solve them."

Ford strongly stated that he condemned individuals involved in Watergate and if any of the persons allegedly involved are convicted they must pay the penalty. He quickly reiterated his belief that the President was not "involved in Watergate per se or in the cover-up."

"If we do differ I will speak up publicly," said Ford concerning his view of his role as Vice-President in regards to his relationship to the President. He did stress that it was important to have a high degree of loyalty to the President and "as long as I'm convinced by the evidence I've seen" of the President's innocence he has a personal obligation to support the President.

Turning to Presidential resignation, Ford stated he would not ask the President to resign because "I would be asking a

person to admit his guilt when he feels he is innocent." He would hold this view regardless if it would seem to be politically expedient for the Republican Party to have the President step down, he said.

The Vice-President, who handled questions on a wide variety of subjects, was asked for his views on the deportation of Russian author Alexander Solzhenitsyn. Ford exclaimed that "any society that does that should be condemned", however, he added that the "Solzhenitsyn incident should not interfere with our detente" because world peace was an important goal.

Responding to a question concerning the legalization of Marijuana, Ford emphasized "there is enough doubt that the use of Marijuana is harmful, that I don't think we should legalize it." If scientific evidence later proves his assertion wrong he conceded he would change his mind.

Turning to other political subjects the Vice-President admitted that he "would be less than candid" if he didn't say he was disappointed with the results of recent special congressional elections. But he countered that it would be "premature in March 1974 to pass judgment on what will happen in November 1974."

Ford described his political philosophy as an "internationalist" in foreign policy, a "middle of the roader" with regards to social legislation, and strict "fiscal responsibility" in fiscal matters.

Dorm Council Activities

This Weekend

TGIF — Today, 4-6 p.m.
Harkness Downstairs Lounge

LAW SCHOOL FLICK
"BULLITT" with Steve McQueen
Tomorrow night (Saturday)
8:30 p.m. Harkness
\$1, or 50c with Dorm Council Card

Prisoners Potentially Rehabilitated By

By William F. Elkus

In October, 1972, the inmates in D-Hall of the Minnesota State Prison at Stillwater were given an introductory lecture on transcendental meditation. D-Hall was chosen for this pilot project since it houses prisoners already under treatment for problems of drug dependency or emotional disturbances.

Thirty prisoners were instructed in the technique, and the results were most impressive. After nine months of meditation, the prisoners committed, on average, 50% less disciplinary offenses. For the same period, a control group showed a slight increase in offenses. There was so much interest in transcendental meditation among the prisoners and staff that the authorities applied to the state legislature for funds for a major meditation program.

Transcendental meditation ("TM") is a simple, natural, effortless mental technique practiced twice daily for about 20 minutes. During these twenty minutes, the meditator sits in a comfortable position with the eyes closed. Meditators claim that it provides deep rest and relaxation to the mind and body, and that it unfolds greater creativity and mental potential. It is unique in that the process requires no religious or philosophical belief by the subject.

In the fourteen years since Maharishi Mahesh Yogi left the Himalayas to bring TM to the world, nearly half a million people have been instructed in the technique. TM is taught locally by the International Meditation Society, a non-profit educational organization at 33 Garden Street, Cambridge.

Until recently, many people were skeptical of meditators' claims of increased energy, creativity, clarity of thought, emotional stability and reduced or eliminated drug abuse. However, beginning with an article in *Scientific American* (Feb., 1972) on the "Physiology of Meditation" by a Harvard Medical School professor, a convincing body of physiological, sociological, and

psychological data has been published showing that the practice of transcendental meditation does indeed result in profoundly beneficial changes.

In the *Scientific American* article, tests showed the oxygen consumption rate, usually thought to be involuntarily controlled, dropped about 16% during meditation. This represents a reduction of almost twice that observed during deep sleep. At the same time, meditators' blood lactate levels (which some physiologists believe is related to anxiety) decreased markedly, and their alpha brainwave activity indicated a rested, relaxed state.

Another study on nearly 2000 regular meditators, introduced in the Hearings Before the Select Committee on Crime of the House of Representatives in 1971, showed a drastic reduction in the use of marijuana, narcotics, and other illicit drugs. The study did not have a control group to test the self selection process (i.e. they may have stopped taking drugs anyway), but the trend is quite clear. Many long-range, controlled studies are now in progress.

The conclusion of these, and other studies conducted at over 50 institutions is three-fold. First, that during the practice of TM, the meditator's mind and body achieve a unique state of "restful alertness", qualitatively different from the waking, sleeping, and dreaming states. Second, regular experience of this state, twice a day, seems to cause beneficial changes through all aspects of daily life — clarity of thought, emotional balance, physical energy, etc. Finally, the technique seems to be universally applicable — anyone can be taught TM and enjoy its benefits.

The acceptance of TM has not been limited to scientific studies. Many universities, including Harvard and M.I.T., have offered courses and symposia on the relationship of TM to the arts, education, athletics, philosophy, and business. Those who learn meditation are no different from anyone else — they include students, business people, and housewives.

We have been witnessing a

shocking increase in crime within our society in the past decades. Alienation and dissatisfaction are visible all over society, especially within those committing crimes. The prison system has admittedly done very little to rehabilitate prisoners or reduce recidivism. In the background of this bleakness, transcendental meditation stands as a completely different and refreshing approach to self-improvement.

Reduction of the amount of drug abuse in prisons *alone* would qualify TM as a very successful rehabilitation technique. But Maharishi claims much more can be accomplished. He says that "crime is evidently a shortcut to satisfying a craving, a shortcut which goes beyond normal and legal means. Crime, delinquency and the different patterns of antisocial behavior arise from deep discontent of the mind; they arise from a weak mind and unbalanced emotions." If the tensions and imbalances of a person are reduced by meditation, his ability to act favorably in his environment will be enhanced.

So, to the extent that TM can strengthen and balance the mind, it should be a successful technique of both rehabilitation and prevention. Furthermore, this can be accomplished by making a program of TM available to inmates on a voluntary basis. Success with some prisoners using TM will naturally draw others to it.

This theory has led to recent articles in the *Maryland Law Forum* and the *Kentucky Law Journal* and pilot projects in several prisons in the U.S., Canada, and Europe.

The largest pilot program, mentioned in the beginning of this article, was conducted at the Stillwater Prison. The results will soon be published in the M.A. thesis of David Ballou, a teacher of TM and an anthropology student at the University of Kansas.

In addition to the previously noted 50% reduction in disciplinary offenses, meditating prisoners showed a tripling of time spent in clubs and recreational activities. Tests using the *State Trait Anxiety Inventory* showed a significant drop in anxiety in

Transcendental Meditation

comparison with the non-meditating controls. Those paroled after the study seem to be making an effective return to society. The prisoners themselves were so enthusiastic about meditation that four additional courses were given at the prison, bringing the total number of meditating prisoners to 64.

Another pilot program involved hardcore narcotic addicts at the Federal Correctional Institution at La Tuna, Texas. Twelve addict-prisoners in the program were measured before beginning TM and again two months later. They were compared with a non-meditating control group measured at the same time. Over the two month period, the meditating group showed a significantly greater reduction in anxiety, as measured by spontaneous galvanic skin response, than the control group. A significant reduction in "obsessive-compulsiveness", as measured by psychological tests, also resulted, indicating increased behavioral flexibility. Other pilot projects are in progress at Milan Prison, Michigan, and at a Palmer, Alaska prison work camp.

After a successful pilot program involving 48 prisoners, two educational counselors, and the assistant chief warden, Lompoc Federal Correctional Institution in California hopes to soon begin a continuing study of the effects of TM as a rehabilitative technique. 180 prison-

ers will be divided into three groups, two control groups using conventional rehabilitative techniques, and a group of 60 meditating prisoners. The subjects will be tested on 30 physiological and psychological parameters over a twelve week period. A decision on their proposal for Federal funds for the project is expected within a few weeks.

A similar program may also begin at the Terra Haute Penitentiary, Indiana, upon funding from the Department of Research of the United States Federal Bureau of Prisons. Of the 48 prisoners who will learn TM, half have behavioral problems, and half will be from the prison's hypertension clinic.

The results from these and other projects in correctional institutions will provide a deeper understanding into the benefits of transcendental meditation, and its applicability to the criminal justice system. If the results of the pilot projects are any indication, TM may prove to be one of the most successful rehabilitative techniques yet.

As an effortless technique to strengthen and balance the mind, develop mental potential, and relieve stress and anxiety, TM's usefulness may only begin with the prisons. The TM program could also be successfully used in conjunction with mental institutions, alcoholics, drug addicts, juvenile delinquents, family courts, and other social programs.

More Law Review Outlines Taken Off Library Shelves

(Continued from Page 9)

Transactions outline might again become available to students. This is so because there is a disagreement between Kaufman and Professor Vern Countryman, both teachers of the course. Kaufman had ordered the outline withdrawn, but Countryman told Fisher Tuesday that he would not request that the outline should be withdrawn. Countryman indicated, however, that he would warn his students against using the 1964 *Commercial Transactions* outline, which was

prepared for the course as it was formerly taught by Professor Emeritus Robert Braucher.

Under a procedure worked out between the Library and the Law School administration, the Library has agreed to contact all Law School professors who teach courses for which there are *Law Review* outlines available. If the professor wishes the outline to be withdrawn, that will be done. If he wishes the outline to remain available to students, it will remain available.

Law Notes

The Harvard Law School Jessup Team captured second place in the regional round of the Jessup International Law Moot Court Competition held last weekend at Boston College. The HLS group defeated teams from Boston University, Fordham, and Brooklyn Law Schools, but lost out to the ultimate winners from the University of Maine Law School by a 5-4 decision. The HLS team was composed of five 1Ls, Greyson L. Bryan and Hanson Y. Huang as oralists with Howard O. Boltz, Peter M. Olson and Ralph B. Palmer on the brief.

* * *

Professor Archibald Cox's June 1973 *Labor Law* grades are now in and the Registrar's office is in the process of mailing them out. Grades of A and B were mailed out last week. Persons who as a result of their grade in *Labor Law* failed to meet the standards for graduation will be notified by the bar examiners in their individual states.

* * *

The Harvard-Radcliffe Hillel is sponsoring an Israel Brunch with a speech on the "Current Situation in the Middle East" by the Honorable Arah Bilar, Israeli Vice-Consul, on March 17. The brunch is at 10:30 a.m. and the speech is at 11:15 a.m. at the Harkness Commons. On March 21 the group will sponsor a lecture on "The Emigration and Civil Rights Movements: Their Promise and Their Problems" by Soviet anthropologist and recent emigré, David B. Zilberman, at 4:30-6:00 p.m. in the Leighton Noble Room of the Phillips Brooks House. An Aliyah Program on law opportunities in Israel will also be held at 7:30 p.m. on March 21 at the Hark's Mallory Smith Room.

* * *

The Gaelic Society of Harvard Law School will gather in the Harkness Commons at 9:00 a.m. on Sunday, March 17, for the trip to South Boston to march in the St. Patrick's day parade. Formal wear and green chrysanthemums are required.

* * *

The Women's Law Association is sponsoring a speech on March 21 by attorney Jane Picker at 8:00 p.m. in ILS Room 4. Picker argued the landmark case *Cleveland Board of Education v. LeFleur* in 1974 in which the Supreme Court held that the provisions in schoolteachers' contracts requiring them to leave work several months before childbirth and stay out of work for three months thereafter violated the Due Process Clause of the Fourteenth Amendment. Picker serves as Legal Vice-President of the Women's Law Fund, Inc., and is a 1960 graduate of the Yale Law School and a 1957 Honors Graduate of Swarthmore College.

'Paper Waste' Glitters with Fifties Flavor

By Paula Bonnell

The Paper Waste glitters and jumps; you'll leave humming some of the catchy tunes like *Legal Minds* and *Razzle Dazzle*. It has a Fifties Flavor and several catchy ideas: a multiple level stage, parody film clips heavy-handing the emotional crisis and reverse-streaking scenes in *The Paper Chase*, guest spots by law school professors, three quasi-strip sequences by fluffy-haired males and a classic recreation of American Bandstand at its jitteriest.

Stock characters abound: the scandal-mongering gossip columnist, the holy-terror law professor, the uptight but indubitably All-American law review editor, the idealistic ingenue, the avaricious establishmentarian, the tough female. Only two of the principal characters are variations on recognizable types: the half-demure, half - flagrantly - sexy Linda Shoelace, played with starring verve and enthusiasm by Colleen McMahon, 1L and the golden-boy director of days of yore, Gordon Glitz, brought unabashedly to the law revue stage by the irrepressible Bob Ryken.

Some of the topical bits are the best: a law student concealing the *Wall Street Journal* behind an *Action* comic book; a special guest appearance by Fenno; the future Southern politicians, agile accountants and procedural buffs having it out at a Dorm Council meeting; a hit at titles of *Law Review* articles of the strained and unsuccessful variety; and a quip about a father's advice on how to get through law school (sit in your assigned seat, don't lend anyone your notes and match your politics to your professor's).

The music, lyrics and orchestration are genuinely clever. Weatherwax, the unstoppable process server played by Gene M. Bauer, 3L starts things off with a rapid-rhyming boast. Harv L. Rev, tap-danced with boyish charm by David Fitz, patters his way through a Gilbert & Sullivan-style "For He Belongs to the Law Review" with the help of his quill-equipped staff, claiming:

*An editor is a harmless drone
He works his fingers to the bone
And never calls a minute his own
For he belongs to the Law Review.*

Richard H. Rubin, 3L who stalks and blusters and threatens with relish as the objectionable Prof. Griller is in strong voice thundering such lines as "I'll star in all your nightmares." Nancy E. Holland, 2L making a cameo appearance as Clarissa, dances smoothly at the heat of the troupe of obviously hokey chorines. Sheila

O'Shaughnessy as Alice and Toby Webb, 1L glide through a pair of love duets with wistfulness and warmth.

The mockery of Dewey, Cheatem & Howe, New York law firm which hopes to capture Harv L. Rev's still-innocent talents, is carried by the pink-cheeked, hard-driving pugnacity Hal Mickelson, 3L brings to the role of the senior partner H. H. Dewey. A disheveled Professor Arthur R. Miller adds to the flavor of a courtroom fracas.

The basic technique director-composer Richard Hope, 2L and writer-lyricist Chris Harding use is to slather it on. This works very well in the heavy, camp extravaganza rendition of *Razzle Dazzle* which closes the first act and in the Law School hop scene. In some of the sequences, like the Dorm Council scene or the TGIF, one could wish for a little cutting, but generally the mock-everything and lay-it-on-heavy method works.



Paula Bonnell

A big production number climaxes the first act of The Paper Waste which opened last night.

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